ORIGINAL

PIECES

RELATIVE TO

The TRIAL and EXECUTION

OF

MR. JOHN CALAS,

Merchant at TOULOUSE,

Who was broke on the Wheel in that City, purſuant to his Sentence by the PARLIAMENT of LANGUEDOC, for the ſuppoſed Murder of his eldeſt Son, to prevent his turning ROMAN-CATHOLICK.

With a PREFACE, and REMARKS on the Whole,

By M. de VOLTAIRE.

DUBLIN:

Printed for JOHN MITCHELL, at the *Golden Sugar Loaf* in *Sycamore-Alley* near *Dame-ſtreet*, 1762.

E 3

AVIS

DE

L'EDITEUR.

SI le Public ne ſe trompe pas, celui à qui nous devons la connoiſſance des malheurs de la famille *Calas* eſt un des hommes le plus célèbre de notre ſiécle, & le moins ſuſpect de partialité en cette matière; c'eſt la voix de la nature qui touche ſon cœur, & fait couler ſes larmes; Au ſein du bien-être & de l'independance, il a fremi d'un événement qui fait horreur; il l'a ſuivi dans toutes ſes circonſtances; ſes moments les plus précieux ont été emploiés à écouter les gemiſſements de la Veuve & des Orphelins, à leur donner des conſolations, & de la confiance dans l'equité de leur Souverain; Il plaide pour l'humanité, en prétant des expreſſions à la vérité timide, & en rendant le courage à des infortunés, que la terreur & le deſeſpoir avoient abbatus.

Puiſſe

ADVERTISEMENT

OF THE

PUBLISHER.

IF the Public be not miſtaken, he to whom we owe the knowledge of the misfortunes of the family of *Calas* is one of the moſt celebrated men of our age, and the leaſt ſuſpected of partiality in an affair of this kind. It is the voice of Nature which touches his heart, and makes his tears to flow. In the boſom of Eaſe and Independence, his ſpirit was rouſed at an event that ſtrikes us with horror; he has traced it in all its circumſtances; his moſt precious moments have been employed in hearing the groans of the Widow and Orphans, and in giving them comfort and confidence in the juſtice of their Sovereign. He pleads for humanity, by furniſhing expreſſions to modeſt fearful truth, and inſpiring with courage people in miſery, who had been dejected by terror and deſpair. May ſuch generous motives

Puiſſe des motifs ſi nobles porter l'Evidence aux pieds du Thrône, & frapper la conſcience des Juges, & de tous ceux à qui il importe peu que l'innocent ait peri ; Il n'eſt pas au pouvoir des hommes de racheter le ſang verſé injuſtement, mais qu'au moins la roue, ſur laquelle on a fait expirer comme un monſtre, le plus malheureux, le plus honnête, & le meilleur des pères, ſoit à jamais un monument éffraiant contre les préjugés & le fanatiſme !

carry truth to the foot of the throne, and ſtrike the conſcience of the Judges, and of all who have but ſmall concern in having the innocent puniſhed. It is not in the power of men to redeem the blood ſhed unjuſtly; but may the wheel, at leaſt, upon which they have put to death as a monſter the moſt unhappy, the honeſteſt, and the beſt of fathers, ever remain an alarming monument againſt prejudices and fanaticiſm.

ORIGINAL PIECES

CONCERNING

The DEATH of the two CALAS's,

AND

The SENTENCE given at TOULOUSE.

Extract of a letter of the widow CALAS, *dated the 15th of June, 1762, from Paris, where she now is, together with Mr.* LA VAISSE.

NO, Sir! there is nothing that I will not do to prove our innocence, chusing rather to die justified, than to live under the imputation of being thought guilty. They continue to oppress innocence, and to exercise upon me and my miserable family a cruel persecution. Nay, they have at length, as you know, caused my dear children, who were my only remaining comfort, to be taken from me, and conducted into two different Convents in *Toulouse*. They have carried them to the very place which served as the theatre to all our dreadful misfortunes: They have even parted them. But if the King vouchsafes to order them to be taken care of, all that I can do is to bless him. The following is an exact detail of our unhappy affair, perfectly agreeable to truth in every circumstance.

On the 13th of *October*, 1761, an unhappy day for us, Mr. *Gober la Vaisse*, who had been for some time at *Bordeaux*, returning from thence to see his parents, who were then at their country-house, and wanting a hired horse to carry him out to them, about four or five in the evening he called at our house.

houſe. My huſband ſaid to him, that ſince he did not ſet out that night, he would do us a pleaſure if he would ſup with us. To this the young man conſented, and he came up to ſee me in my apartment, which, contrary to my uſual cuſtom, I had not then quitted. After the firſt compliments, he ſaid to me, "I ſup with you; your huſband has entreated me." I expreſſed my ſatisfaction to him, and a few moments after I left him, to go and give orders to my ſervant-maid. I next went to look for my eldeſt ſon (*Marc Antony*) whom I found ſitting alone in the ſhop, and very abſent, to beg of him to go and buy ſome cheeſe from *Roquefort*. He was uſually our market-man for that, as he was a better judge of its goodneſs than others. I ſaid to him then, "Here, go and buy ſome cheeſe from *Roquefort*, there is money for it, and give the change to your father;" and I return to my room to join the young man, *La Vaiſſe*, whom I had left there. A few moments after, however, he left me, ſaying, that he would go back to the horſe-hirer's, to ſee if there was any horſe arrived, being peremptorily reſolved to ſet out next morning for his father's country-ſeat; and he went out.

When my eldeſt ſon had bought the cheeſe, and the hour of ſupper was arrived (*a*), the whole company met to ſit down at table, and we each took our places. During ſupper, which was not very long, we entertained ourſelves with different ſubjects, and, among others, with the antiquities of the town-houſe; and my younger ſon (*Peter*) wanting to mention ſome of them, his brother interrupted him, becauſe he neither related them well nor juſt.

When we came to the deſert, that unhappy child, I mean my eldeſt ſon (*Marc Antony*) roſe from the table, as he uſed to do, and went into the

(*a*) About ſeven o'clock.

kitchen.

kitchen (*b*). The maid ſaid to him, "Are you cold, young 'Squire, warm yourſelf." He replied, "Quite the contrary, I burn;" and we went out. We continued ſtill a few moments at table, after which we went into that room, which you know, and where you have ſlept, Mr. *La Vaiſſe*, my huſband, my ſon, and I; the two firſt ſat down on a ſofa, my younger ſon in an arm-chair, and I on a chair, and there all of us entered into converſation. My younger ſon fell aſleep, and about three quarters after nine, or ten o'clock, Mr. *La Vaiſſe* took leave of us, and we awakened my younger ſon, in order to accompany the ſaid *La Vaiſſe*, giving him a flambeau in his hand to light him, and they went down together.

But the moment after they were below ſtairs, we heard terrible outcries, without diſtinguiſhing what was ſaid. My huſband run down to them, and I remained trembling in the paſſage, not daring to go down, and not knowing what could be the matter.

However, ſeeing nobody come to me, I reſolved to go down, which I did; but I found, at the bottom of the ſtairs, Mr. *La Vaiſſe*, from whom I haſtily demanded what was the matter. He replied, "That he begged of me to go up again, and that I ſhould know it;" and he was ſo very preſſing, that I went up with him into my room. Doubtleſs, this was to ſpare me the grief of ſeeing my ſon in the condition in which he then was; and he went down again. But the uncertainty which I laboured under, was a ſtate too violent for me to be able to continue long in it; I therefore call my ſervant, and ſay to her, "*Janet*, go and ſee what's the matter below; I know not what it can be; I tremble all over;" and I put the candle into her hand, and ſhe went down. But, finding that ſhe did not come up to me again.

(*b*) The kitchen is next to the dining-room on the firſt floor.

to give me an account; I go down myſelf. But, great God! what was my grief, and my ſurprize, when I ſaw my dear ſon extended on the ground. I did not, however, believe him dead, and I ran to fetch ſome *Hungary* water, believing that he was only taken ill; and, as hope is the laſt thing that leaves us, I gave him all the aſſiſtance in my power to recall him to life, not being able to perſuade myſelf that he was dead. We all flattered ourſelves with this; for a ſurgeon had been ſent for, who ſtood cloſe by me without my ſeeing or perceiving him, till he told me that it was needleſs to do any thing more to my ſon, that he was dead. I then maintained that it could not be, and I begged of him to redouble his applications, and to examine him more exactly, which he did in vain. That was but too true; and during all this while my huſband was leaning upon a counter quite ſunk in deſpair; ſo that my heart was torn to pieces between the lamentable ſight of my dead ſon, and the fear of loſing that dear huſband from grief, to which he wholly abondened himſelf, without hearkening in the leaſt to any comfort; and it was in this ſituation that juſtice found us when we were made priſoners in our chamber, to which we had been conducted up ſtairs.

Such is the whole affair literally as it happened; and I pray God, who knows our innocence, to puniſh me eternally, if I have added or kept out a ſingle tittle, and if I have not ſaid the pure truth in every particular. I am ready to ſeal this truth with my blood, &c.

A letter of DONATUS CALAS *the ſon, to the widow* CALAS *his mother. Chatelaine, June* 22, 1762.

MY dear, unfortunate, and worthy mother. I have ſeen your letter of the 15th of *June*, in the hands of a friend who wept in reading it. I watered it with my tears. I fell on my knees and prayed to God to deſtroy me, if any of my family were guilty of the deteſtable paracide imputed to my father, my brother, and in which you, the beſt and moſt virtuous of mothers, have been yourſelf involved.

Being obliged to go ſome months ago to *Swiſſerland*, upon my own ſmall affairs, it was there that I heard of the inconceivable diſaſter of my whole family. I firſt heard that you my mother, my father, my brother *Peter Calas*, M. *La Vaiſſe*, a young man diſtinguiſhed for his probity and ſweetneſs of manners, were all in irons at *Toulouſe*; that my eldeſt brother, *Marc Antony Calas*, had periſhed by a moſt ſhocking death; and that the hatred, which often ariſes from a difference of religion, accuſed you all of that murder. I fell ill through exceſs of grief, and even wiſhed myſelf dead.

I was ſoon informed that ſome of the low people of *Toulouſe* had exclaimed at the door of our houſe, upon ſeeing my brother dead, *It is his father, it is his Proteſtant family that have aſſaſſinated him; he wanted to turn Catholick* (*a*); *he was to have abjured the Proteſtant religion the next day; his father has ſtrangled him with his own hands, thinking he did an acceptable ſervice to God. He has been aſſiſted in that ſacrifice by his ſon* Peter, *by his wife, and the young* La Vaiſſe.

(*a*) It has been ſaid that he was ſeen in a church. Is that a proof that he was going to abjure? Do we not every day ſee Catholicks come to hear celebrated Preachers in Swiſſerland, Amſterdam, Geneva, &c.? To conclude, it is proved that *Marc Antony Calas* had never taken any meaſures for changing his religion, conſequently there is no motive of the pretended anger of his parents.

It was added that *La Vaiſſe*, aged 20 years, who had come from *Bordeaux* on the very day, had been choſen in an aſſembly of Proteſtants to be the executioner of the ſect, and hang every one that ſhould change his religion. It was commonly ſaid at *Toulouſe*, that that was the uſual law and juſtice of the Reformed.

The abſurd extravagance of thoſe calumnies gave me courage, and the more mad and nonſenſical they appeared, the more hopes I had from the wiſdom of your Judges.

I trembled, 'tis true, when I heard from all quarters that they had begun, by cauſing my brother *Marc Antony* to be buried in a Catholic church, upon this ſingle imaginary ſuppoſition, that he was going to change his religion. We were informed that the brotherhood of the White Penitents had performed a ſolemn ſervice for him as for a martyr; that they had raiſed a tomb for him, and placed his ſtatue on the tomb, holding in his hands a palm.

I but too well foreſaw the effects of that forwardneſs and fatal enthuſiaſm. I knew that, ſince they looked upon my brother *Marc Antony* as a martyr, they conſidered my father, you, my brother *Peter*, and young *La Vaiſſe*, as no other than executioners. A whole month I continued quite ſtupified with horror. It ſignified nothing to ſay to myſelf, I know my unhappy brother, I know that he had no deſign of abjuring, I know that if he had been inclined to change his religion my father and mother would never have conſtrained his conſcience; they did not take it amiſs that my other brother *Lewis* turned Catholick, they grant him an annuity: nothing is more common in the families of thoſe provinces than to ſee brothers of a different religion. Brotherly love is not cooled on that account. Happy Toleration, that holy and divine maxim which

we

we profeſs, ſuffers us not to condemn any one. It is not our practice to anticipate the judgments of God. We follow the dictates of our own conſciences without diſturbing thoſe of others.

It is not to be conceived, I ſaid, that my father and mother, who never harſhly treated any of their children, in whom I never ſaw either paſſion or croſſneſs, who in their whole lives never committed the leaſt violence, could all at once paſs from a thirty years habitual mildneſs of temper, to the unheard-of madneſs of ſtrangling, with their own hands, their eldeſt ſon, from the chimerical apprehenſion that he was going to forſake a religion which he had not the leaſt intention of forſaking.

Theſe, dear mother, were the reflections that comforted me, but every poſt brought us new alarms. I wanted to come and throw myſelf at your feet and kiſs your chains. Your friends, my protectors, hindered me, from conſiderations no leſs powerful than my grief.

Having paſſed near two months in this dreadful uncertainty, without being able either to receive your letters, or get mine put into your hands, I at length ſee the memorials publiſhed for the juſtification of innocence. In two of thoſe caſes I ſee preciſely the ſame thing, which you now mention, in your letter of the 15th of *June*, that my unhappy brother, *Marc Antony*, had ſupped with you before his death, and that none of thoſe who were preſent at that laſt repaſt of my brother ſeparated from the company till the fatal moment when his tragical end was diſcovered (*b*).

(*b*) There is the greateſt probability that *Marc Antony Calas* made away with himſelf. He was diſcontented with his ſituation; he was dull and melancholy, and often read treatiſes upon Suicide, *La Vaiſſe*, before ſupper, had found him in a very penſive mood. His mother had alſo obſerved the ſame thing. Theſe words, *I burn*, in his reply to the maid who had propoſed to him to come to the fire, are of great weight. He goes down ſtairs alone after ſupper. He executes his fatal reſolution. His brother

Pardon me for recalling to your remembrance thoſe frightful images; it muſt be ſo. Our new misfortunes continually renew the impreſſions of the old, and you would not forgive me if I did not re-open your wounds. You cannot think, dear mother, what a favourable effect the following circumſtance has upon every one, that my father and you, my brother *Peter*, and M. *La Vaiſſe*, were never ſeparate a moment during the whole time that paſſed between that melancholy ſupper and your impriſonment.

People have reaſoned in the following manner in all parts of Europe, where the news of our calamity hath reached. I am well informed of it, and you ought to know it. They ſay,

That if *Marc Antony Calas* has been ſtrangled by any of his family, he muſt certainly have been ſtrangled by the whole family, and by *La Vaiſſe* and even by the maid, for it is proved that the family, and *La Vaiſſe* and the maid (*c*) were always together; this is allowed by the judges, and nothing is better atteſted. Either all the priſoners are guilty, or none of them is ſo; there is no medium. Now it is not in nature, that a family hitherto irreproachable, a tender father, the beſt of mothers, a brother who loved his brother, a friend who arrived in the

ther, two hours after, when accompanying *La Vaiſſe*, is witneſs of the ſight. Both of them cry out; the father comes; they cut down the corps. Here is the firſt cauſe of the ſentence given againſt the unfortunate father. He will not at firſt declare to the neighbours and ſurgeons, My ſon has hanged himſelf; for in that caſe he muſt be dragged through the dirt, and my family will be diſhonoured. He does not confeſs the truth till it can be no longer concealed. He has been ruined by his paternal piety. He has been thought guilty of the death of his ſon, becauſe he would not at firſt accuſe his ſon.

(*c*) This maid is a Catholick and devout: ſhe had heen thirty years in the houſe; ſhe had contributed not a little to the converſion of one of the children of Mr. *Calas*. Her evidence ought to have the greateſt weight. Can it be accounted for, that it has not got the better of the moſt deceitful preſumptions?

city

city and by chance ſupped with them, could take all at once, and in a moment, without any reaſon, without the ſmalleſt motive, the unheard-of reſolution of committing a paricide. Such a wicked deſign under ſuch circumſtances is impoſſible (*d*); the execution of it is ſtill more impoſſible. There is an infinite probability, therefore, that the judges will repair the injury done to innocence. Theſe reflections ſupported me a little in my diſtreſs.

All theſe ideas of comfort have been but vain. In the month of *March* the news arrived that my father had been put to death. A letter which they wanted to keep from me, and which I laid hold of, informed me of what I am not able to expreſs, and of which you have been obliged to hear ſo often.

Support me, dear mother, at this moment, when I write to you trembling, and give me your courage, which is equal to your terrible ſituation. Your children diſperſed, your eldeſt ſon dead before your eyes, your huſband my father expiring by the moſt cruel death, your jointure loſt, want and reproach ſucceeding in the place of reſpect and fortune. Such is your ſituation! but God remains to you; he has not abandoned you; the honour of my father is dear to you; you bid defiance to the horrors of poverty, of ſickneſs, and even of ſhame, to come from the diſtance of two hundred leagues, to implore at the foot of the throne the juſtice of the King. This without doubt you will obtain, if you can but get acceſs to make yourſelf be heard.

(*d*) At what time could the father hang his ſon? It could not be before ſupper, ſince they ſupped together. It could not be during the ſupper, nor could it be after the ſupper, ſince the father and the family were above when the ſon had gone below ſtairs. How could the father, aſſiſted even by main ſtrength, hang his ſon on the two leaves of a door next the ſtreet, without a violent ſtruggle, without a great uproar? Laſtly, why would the father hang his ſon merely to cut him down again? What abſurdity in theſe accuſations!

What

What can be oppoſed to the cries and tears of a mother and a widow, and to the demonſtrations of reaſon. It has been proved that you and my father were never ſeparate, that he was continually with you and all the other accuſed perſons in the apartment above ſtairs, while my unhappy brother was dead on the ground-floor. There needs no other proof. My father, however, has been condemned to the moſt terrible capital puniſhment, my brother by a ſecond ſentence is baniſhed, and notwithſtanding his baniſhment he is confined in a convent of White Friars in the ſame city. You are acquitted, *La Vaiſſe* is acquitted. No body has been able to comprehend thoſe extraordinary and contradictory ſentences. Why is my brother only baniſhed if he is guilty of the murder of his brother? Why, if he is baniſhed from *Languedoc*, is he ſhut up in a convent in *Toulouſe?* No body can make any thing of this. Every one tries to diſcover the reaſon of theſe decrees, and of this conduct, and not a ſingle perſon can find it out.

All that I know of the matter is, that the judges, upon vague and deceitful evidence, wanted to condemn capitally all the perſons accuſed, but that they ſatisfied themſelves with putting my father to death, from a notion they had conceived that the unhappy man before he expired would confeſs the guilt of the whole family. They were confounded, I have been told, when my father, in the midſt of his torments, took God to witneſs for his innocence and yours, and died praying to that God of mercy to pardon his rigorous judges, who had been miſled by hearkening to calumny.

It was then they pronounced the ſentence which reſtored you to your liberty, but which has neither reſtored to you your goods which have been diſſipated and waſted, nor your honour unworthily ſtained,

ſtained, if indeed honour depended upon the injuſtice of men.

I do not accuſe the judges; it certainly was not their intention to aſſaſſinate innocence under the forms of Law. I impute the whole to culumnies, to falſe circumſtances badly explained, to ignorant reports, to the wild miſtakes of ſome of the witneſſes *(e)*, to the cries of a mad populace, to that furious zeal which ſuppoſes that thoſe who do not think like us are capable of the greateſt crimes.

It will doubtleſs be eaſy for you to diſpel the illuſions which have deceived the judges *(f)*, who are otherwiſe men of underſtanding and integrity; for, to ſum up all, ſince my father has been the only perſon condemned, my father muſt have been the only perſon who committed the murder. But how is it poſſible that an old man, ſixty-eight years of age, who has been afflicted for two years with a rheumatiſm in his legs, could by himſelf alone hang a young man twenty-eight years old, whoſe prodigious ſtrength and ſingular addreſs were well known?

If the word *ridicule* could well be uſed in the midſt of ſo many horrors, the exceſſive ridicule of this ſuppoſition would alone be ſufficient, without any further examination, to procure for us the repara-

(*e*) When the father and the mother in tears, about ten at night, ſtood by their ſon *Marc Antony* then dead and cold, they ſhrieked out, they raiſed moſt pitiful lamentations, they burſt out into ſighs; and it is thoſe ſighs, thoſe paternal exclamations, which have been imagined to be the very cries of *Marc Antony Calas*, dead two hours before; and on this miſtake they founded their belief, that a father and mother who were lamenting their ſon, were aſſaſſinating that ſon; and from this they judged.

(*f*) One witneſs alledged, that *Calas* the father had been heard, ſome weeks before, to threaten his ſon What relation can paternal threats have with a ſhocking murder. *Marc Antony Calas* ſpent his whole time at tennis, at billiards. and in fencing ſchools, the father threatened him if he did not alter his conduct. this juſt correction of paternal love, or perhaps ſharpneſs of reproof, do they in the leaſt prove the moſt heinous and moſt unnatural crime?

tion which is our due. What ſenſeleſs circumſtances, what vague diſcourſes, what popular reports could hold out againſt a demonſtration of the phyſical impoſſibility of the thing.

I ſtick to this. It was impoſſible that my father or even two people, could have ſtrangled my brother. Again, it is impoſſible that my father could be guilty alone, as all the perſons accuſed never left him a moment. The conſequence then is abſolutely, either the Judges have condemned an innocent perſon, or they have prevaricated in not purging the earth of four monſters guilty of the moſt horrid crime.

The more I love and reſpect you, dear mother, the leſs care I take to ſoften my expreſſions. The exceſs of horror, which you have been accuſed of, only ſerves to ſhew the exceſs of your miſery and of your virtue. You at preſent aſk either death, or the juſtification of my father; I join myſelf to you, and requeſt death with you, if my father be guilty.

Only get the judges to publiſh the account of the trial; this is all I deſire; it is what every body deſires, and what cannot be refuſed. All nations, all religions are intereſted in this. Juſtice is painted with a fillet over her eyes; but ought ſhe to be dumb? Why, ſince *Europe* demands an account of this ſtrange decree, are they not in haſte to give it.

It is for the ſake of the publick that the puniſhment of criminals is decreed. The accuſations upon which they are puniſhed ought therefore to be publick. They cannot much longer keep in obſcurity what ought to appear in broad day. When we want to give an idea of the tyrants of antiquity, we ſay that they decided arbitrarily upon the life of men. The judges of *Toulouſe* are not tyrants, they are the miniſters of the law, and judge in the name of a juſt King. If they have been deceived, it is becauſe they are men. They may, perhaps, confeſs

it,

it, and become themſelves your advocates at the throne.

Addreſs yourſelf, then, with confidence to the Chancellor *(g)* and to the Miniſters of State. You are timorous, you are afraid to ſpeak, but your cauſe will ſpeak. Do not believe that at Court they are ſo unfeeling, hard hearted, and unjuſt, as they are affirmed to be by many impudent writers, who are equally ignorant of all conditions of men. The King deſires juſtice; it is the baſis of his government. His council has certainly no intereſt in preventing that juſtice from being adminiſtred. Believe me, there are in our hearts ſentiments of compaſſion and equity; turbulent paſſions and prejudices often ſtifle thoſe ſentiments in us. But the paſſions of the King's council are not certainly intereſted in this affair, nor have they any prejudices about it to obſcure their underſtandings.

What will be the iſſue? Will the account of the trial be laid before the eyes of the publick? We ſhall

(*g*) The Chancellor will doubtleſs remember theſe words of Mr. *Dagueſſeau* his predeceſſor, in his ſixteenth ſpeech. "Who "would believe that a firſt impreſſion may ſometimes decide "upon life and death? A fatal heap of circumſtances, which "one would ſay fortune had expreſsly collected, to deſtroy an "unfortunate man; a crowd of mute witneſſes, and on that "account the more to be dreaded, give evidence againſt inno- "cence; the Judge is prejudiced, paſſion is enflamed, and "even his zeal miſleads him. Leſs a Judge than an accuſer "he now ſees only what ſerves to condemn; and he ſacrifices "to the reaſonings of the man, him whom he would have ſa- "ved, if he had hearkened only to the proofs of the law. "Sometimes an unexpected event afterwards plainly diſcovers "innocence overwhelmed by the weight of conjectures, and "gives the lie to thoſe deceitful circumſtances, the falſe light "of which had dazzled the mind of the Magiſtrate. Truth "iſſues from the cloud of probability; but ſhe is diſcloſed too "late: the blood of the innocent calls for vengeance upon the "prejudice of his Judge, and the Magiſtrate is brought to "weep during his whole life for a misfortune which his re- "pentance cannot repair."

ſhall then ſee whether the contradictory account of a ſurgeon *(h* and ſome trifling miſtakes, ought to outweigh the moſt evident demonſtrations that innocence ever produced. Then the Judges will be blamed for not having ſeen with their own eyes in an affair of ſo great importance, and to have joined iſſue in it with ignorance? Then the Judges themſelves will join their voices to ours *(i)*. Will they

(h) Some very bad Phyſicians have alledged, that it was impoſſible that *Marc Antony Calas* could have hanged himſelf. Nothing however is ſo poſſible. It is not indeed poſſible, that an old man could have hanged a ſtout young man on the ground floor, while that very old man was above ſtairs.

N. B. When the father came to the place where his ſon was hanging, he wanted to cut the cord, but it gave way of itſelf; tho' he ſtill imagined he had cut it. He committed a miſtake in this trifling fact before the Judges, who believed him guilty.

It has alſo been ſaid, that his father, overwhelmed with grief, and out of his ſenſes, ſhould have ſaid in his interrogatory, *That all the gueſts, when they roſe from table, went into the ſame chamber. Peter* interupted him: Ah my father, do you forget that my brother *Marc Antony* went out before us, and went down ſtairs? Yes, you are right, replied the father. —*You trap yourſelf, you are guilty*, ſaid the Judges. If this anecdote be true, upon what depends the life of men?

(i) Let circumſtances be but oppoſed to circumſtances, depoſitions to depoſitions, conjectures to conjectures, and the advocates, who defended the cauſe of the accuſed, are ready to evince the innocence of him who has been ſacrificed. If the only point in queſtion be conviction, they refer it to all Europe. If a legal examination be propoſed, they refer to all magiſtrates and even to thoſe of Toulouſe, who in time will act both agreeable to honour, and their duty, in repairing, if it is poſſible, a misfortune at which ſeveral of them are already terrified. Let them deſcend into themſelves, and ſee by what reaſoning they have been conducted. Have they not ſaid to themſelves, *Marc Antony Calas* could not hang himſelf, therefore others have hanged him. He ſupped with his family and *La Vaiſſe*, therefore he has been ſtrangled by his family and *La Vaiſſe*. He has been ſeen, it is ſaid, once or twice in a church, therefore his Proteſtant family have ſtrangled him, from a principle of religion. Theſe are the preſumptions that excuſe them.

But

they refuſe to draw the truth from their regiſter-office? That truth will then riſe with greater force.

Perſevere then, dear mother, in your undertaking; let us truſt our fortune to that. We are five children without bread; but we all have honour, and we, like you, prefer it to life. I throw myſelf at your feet and bathe them with my tears. I aſk your bleſſing with a reſpect which is augmented by your misfortunes.

Chatelane, 22
June, 1762

DONATUS CALAS.

But at preſent the Judges, doubtleſs, ſay to themſelves, *Marc Antony Calas* might put an end to his own life; it is phyſically impoſſible that his father alone could have ſtrangled him, therefore his father alone ought not to be put to death; it has been proved to us, that the mother, the ſon *Peter*, *La Vaiſſe*, and the maid, who alone could be guilty with the father, are all innocent, ſince we have ſet them all at liberty; therefore it is proved to us that *Calas* the father, who never left them a moment, is innocent as well as they.

It is acknowledged that *Marc Antony Calas* had no intention of abjuring, therefore it is impoſſible that his father could have ſacrificed him to the fury of fanaticiſm. We have no eye-witneſs, and there can be none; there has been nothing but reports after after hear-ſays; now theſe vain reports cannot weigh againſt the declaration of *Calas* upon the wheel, and the confeſſed innocence of the other accuſed perſons; therefore *Calas* the father, whom we have broken on the wheel, was innocent; therefore we ought to weep for the ſentence which we have given, and it is not the firſt example of ſo juſt and ſo noble a repentance.

THE

MEMORIAL of *Donatus Calas.*

In Behalf of his Father, his Mother, and his Brother.

I Begin with confeſſing that our whole family is born in the boſom of a religion which is not the predominant one. It is well enough known how much it coſts probity to change its religion. My father and mother perſevered in the religion of their fathers, and no wiſe man accuſed them of that as a crime. This religion is not, as it has been ſometimes imagined, a plan invented by the reformers of the ſixteenth century; it is that which *France*, *Germany*, and *England* profeſſed, when the Council of *Frankfort*, aſſembled by *Charlemagne*, condemned the worſhip of images, when *Ratran*, under *Charles the Bald*, wrote in a hundred places of his book, making *Jeſus Chriſt* himſelf ſpeak, *Do not believe that ye eat my body and drink my blood corporally*; when they ſung in moſt churches the following homily preſerved in ſeveral libraries, *We receive the body and blood of Jeſus Chriſt not corporally but ſpiritually.*

Even after the people had begun to form more exalted notions of this myſtery, and thought proper to alter the œconomy of the church, ſeveral Biſhops did not change. *Claude*, Biſhop of *Turin*, particularly retained the dogmes and worſhip which the Council of *Frankfort* had adopted, and which he believed to be thoſe of the primitive church. There has always been a flock attached to that worſhip. The ſuperior number, however, prevailed, and liberally beſtowed upon our forefathers the names of *Manicheans*, *Bulgarians*, *Patarins*, *Lollards*, *Vaudois*, *Albigeois*, *Huguenots*, and *Calviniſts*.

Such

Such are the ideas acquired by the enquiry which my youth could allow me; I do not mention them to make a ſhew of vain learning, but to endeavour to ſoften in the minds of our Catholick brethern that animoſity which might arm them againſt their brethern. I may perhaps be deceived in my opinions, but my honeſt intention is not a Crime. We, like all the reſt of mankind, have committed great faults. We have imitated the madneſs of the *Guiſes*, but we fought for *Henry* IV, ſo dear to *Lewis* XV. The inhumanities of the *Cevennus*, committed by enraged peaſants, and which the licentiouſneſs of the dragoons firſt gave riſe to, have been forgot, as well as the inhumanities of the *Frond*. We are the children of *Lewis* XV, as well as his other ſubjects. We venerate him, we affectionately reſpect him as our common father, we obey all his laws, we chearfully pay the taxes neceſſary for the ſupport of his juſt war; we reſpect the Clergy of *France*, who, like us, glory in ſubmiſſion to their royal and paternal authority. We revere the Parliamets, we look upon them as the defenders of the Throne and of the ſtate againſt the uſurpations of the Court of *Rome*. In theſe ſentiments I have been brought up, and ſo think all thoſe among us who can read and write. If we have any favours to requeſt, we ſilently hope for them from the goodneſs of the beſt of Kings.

It does not belong to a youth, to an unfortunate man, to determine which of the two religions is moſt agreeable to the ſupreme Being. All that I know is, that the eſſential part of religion is entirely the ſame in every upright breaſt; that all ſuch equally love their God, their Country, and their King.

The dreadful accident of which I am going to give an account, may move the juſtice of that beneficient King, may raiſe the charity of the Clergy,

who

who pity us from believing us in an error, may excite the generous compaſſion of the Parliament itſelf, which has plunged us into the moſt terrible miſery that an honeſt family can be reduced to.

We are actually five orphans, for our father has periſhed by the greateſt of puniſhments; and our mother, at a great diſtance from us, proſecutes, without aſſiſtance and without protection, the juſtice due to the memory of my father. Our cauſe is the cauſe of every family; it is that of nature; not only the ſtate and religion, but even the neighbouring nations are intereſted in it.

My father, *John Calas*, was a Merchant ſettled at *Toulouſe* for forty years. My mother is an *Engliſhwoman*, but by her grandmother ſhe is of the Family of *Garde-Monteſquieu*, and is related to the chief Nobleſſe of *Languedoc*. They both educated their children with tenderneſs; never any of us ſuffered a blow from them, or any croſs humour. There never were, perhaps, better parents. If it were neceſſary to add to my teſtimony the teſtimony of ſtrangers, I could produce ſeveral *(a)*.

All thoſe who have lived with us, know that my father never conſtrained us in the choice of a religion. He always referred himſelf on that point to God and our own conſcience. He was ſo far from that bitter zeal that alienates peoples minds, that he always kept in his houſe a Catholick maid.

That maid, who was very pious, contributed to the converſion of one of my brothers named *Lewis*; ſhe

(a) I declare before God, that I lived four years in *Toulouſe* in the family of Mr. and Mrs. *Calas*, that I never ſaw a family in greater harmony, nor a more tender father; and that during the ſpace of four years he never once put himſelf in a paſſion; that if I have any ſentiments of honour, of probity, and moderation, I owe them to the education I received in his family.

Geneva, July 5, 1762.

Signed, *J. Catvet*, Caſhier of the Poſts of *Switzerlandi*, *Germany*, and *Italy*.

ſhe continued with us after that action, and was never reproached with it. There cannot be a ſtronger proof of the goodneſs of heart of my parents.

My father declared, in the preſence of his ſon *Lewis*, before Mr. *De la Motte*, Councellor of the Parliament, *that provided the converſion of his ſon was ſincere, he could not diſapprove of it, becauſe to conſtrain conſcience ſerves only to make hypocrites.* Theſe were his very words, which my brother *Lewis* inſerted in a public declaration at the time when our misfortune happened.

My father ſettled an annuity upon him of four hundred livres, and never did any of us reproach him in the leaſt with his change of religion. Such was the ſpirit of indulgence and union which my father and mother had eſtabliſhed in our family. It was bleſſed be God: we enjoyed a genteel income, we had friends, and for forty years our family had not in *Toulouſe* either a law-ſuit, or quarrel with any perſon. Some Merchants, perhaps jealous of the proſperity of a houſe of trade which was of another religion than theirs, might excite the populace againſt us; but our conſtant moderation ſeemed to have ſoftened their hatred.

The following is an account how we fell from this happy ſtate into the moſt terrible diſtreſs. Our eldeſt brother, *Marc Antony Calas*, the ſource of all our misfortunes, was of a dull melancholy diſpoſition; he had ſome talents: but not being able to get himſelf admitted as Licentiate in Law, becauſe he muſt have performed ſome Catholick acts, or purchaſe certificates; nor being able to be a Merchant, becauſe he was unfit for that buſineſs; and upon ſeeing himſelf repulſed from all the roads of fortune, abandoned himſelf to a profound grief. I have often ſeen him read paſſages of divers authors upon ſuicide, ſometimes from *Plutarch* or *Seneca*, ſometimes from *Montagne:* he knew by heart the

tranſlation in verſe of that famous ſoliloquy of *Hamlet*, ſo well known in *England*, and ſome paſſages of a *French* tragi-comedy entitled *Sidney*. I never thought that he was one day to put in practice ſuch fatal leſſons.

At length, one day, it was the 13th of *October*, 1761 (I was not preſent, but it may well be believed, that I am but too well informed) on that day, I ſay, a ſon of Mr. *La Vaiſſe*, a famous Advocate of *Toulouſe*, having come from *Bordeaux*, wanted to go and ſee his father, who was then at his country ſeat: he enquires every where for horſes, but finds none. It chanced that my father, and my brother *Marc Antony* his friend, met him, and begged of him to come and ſup with them. They ſat down to table at ſeven, according to the ſimple manners of regular families who have affairs to mind, and who finiſh their day early, that they may riſe before the ſun. The father, the mother, the children, and their friend, make a frugal repaſt on the firſt floor. The kitchen was next to the dining room. The ſame Catholick maid brought in the diſhes, heard and ſaw every thing. I can here only repeat what has been ſaid by my unfortunate and worthy mother. My brother *Marc Antony* riſes from the table a little before the reſt: he goes to the kitchen; the maid ſays to him, Will you come to the fire; *Ah*, replies he, *I burn*. After ſaying theſe words which declare but too much, he goes down ſtairs to the magazine with a melancholy air, and very penſive. My family, with the young *La Vaiſſe*, continue a quiet converſation till three quarters after nine, without ſeparating from each other a moment. Mr. *La Vaiſſe* withdraws; my mother deſires her ſecond ſon *Peter* to take a flambeau to light him; they go down ſtairs; but what ſight preſented itſelf to him! They ſee the magazine door open, the two leaves of the door approaching each other, a

bar

bar uſed for drawing cloſe and compacting the bales, croſſed over the top of the leaves, a cord with running knots, and my unhappy brother hanging in his ſhirt, his hair no ways diſordered, and his clothes folded on the counter.

At this ſight they cried out, Ah, my God! Ah, my God! They go up ſtairs, they call the father; the mother follows trembling every limb; they ſtop her; they conjure her to remain; they fly to the Surgeons and to the Magiſtrates: The mother terrified, comes down with the maid; the tears and cries redoubled. What can be done? Shall they leave the body of their ſon without aſſiſtance. The father embraces his dead ſon; the rope gives way at the firſt effort, as one of the ends of the bar eaſily ſlipped off the leaves of the door, and as the body when raiſed up by the father no longer kept the bar fixed. The mother attempts to make her ſon ſwallow ſpirituous liquors; the maid is very ſolicitous in aſſiſting, but in vain; my brother was dead. The exclamations and ſighs of my parents had already drawn the populace round the houſe: I know not what fanatic it was, that firſt imagined my brother was a martyr, that his family had ſtrangled him to prevent his abjuration. Another adds, that the abjuration was to have been made next day. A third ſays, that the Proteſtant Religion orders fathers and mothers to cut the throats of their children, or ſtrangle them, when they are inclined to turn Catholicks. A fourth declares, that nothing is more true, than that the Proteſtants in their laſt Aſſembly named a hangman for their whole ſect; that young *La Vaiſſe*, aged nineteen years, is that hangman; that this young man, who is candour and ſweetneſs itſelf, is come from *Bordeaux* to *Toulouſe*, on purpoſe to hang his friend. See here exactly the mob; this is but too faithful a picture of their exceſſes.

Theſe reports flew from mouth to mouth; thoſe who had heard the exclamations of my brother *Peter* and Mr. *La Vaiſſe*, and the groans of my father and mother, at three quarters after nine, boldly took upon them to affirm, that they had heard the cries of my brother, who was ſtrangled and dead two hours before.

To crown our misfortunes, the *Capitoul*, or firſt Magiſtrate of Police, prejudiced by thoſe clamours, comes upon the ſpot with his aſſeſſors, and cauſes the corpſe to be tranſported to the Town-houſe. The verbal proceſs is made there, inſtead of being drawn up on the very ſpot where the deceaſed was found, as I have been told the law ordains *(b)*. Some witneſſes have ſaid, that this verbal proceſs, made at the Town-houſe, is dated from the houſe of the deceaſed; this would be a great proof of the animoſity which has ruined my family. But what ſignifies it that the Judge in the firſt inſtance committed this fault? We do not pretend to accuſe any one; it was not this irregularity alone that has been fatal to us.

Theſe firſt Judges did not heſitate in their minds between a ſelf-murder, which is rare in this country, and a parricide, which is a thouſand times ſtill more rare: they believed the parricide; they preſumed it upon the pretended change of religion which the deceaſed was to have made; and they go to ſearch his papers and books, to ſee if they could not find in them ſome proof of the charge; they find none.

Laſtly, a Surgeon, named *La Marque*, is ordered to open the ſtomach of my brother; and to declare if he found there any remains of food; his account ſays, that the food had been taken four hours before his death. Here it is evident he was doubly miſtaken. It is plain, he wanted to ſet forth his own ſkill, by declaring the time neceſſary for digeſtion,

(b) The Ordonnance of 1760. Article I. Title 4.

digeſtion, which is rendered more or leſs ſlow by the difference of conſtitutions. Ought this trifling miſtake of a Surgeon draw after it the condemnation of my father? The life of men, then, depends upon falſe reaſoning.

There was no proof againſt my parents, and there could be none in this; they directly had recourſe to a monitory. I ſhall not examine whether this monitory was according to form: the crime was therein preſumed, and they required the expoſition of the proofs. They ſuppoſed *La Vaiſſe* commiſſioned from *Bordeaux* to be the hangman, and they ſuppoſed the aſſembly held for chuſing that hangman the very day of the arrival of *La Vaiſſe*, the 13th of *October*. They imagined, that when any one is ſtrangled on account of religion he is firſt made to kneel; and they aſked if any one had ſeen the unfortunate *Marc Antony Calas* on his knees before his father, who was ſtrangling him during the night, in a place where there was no light.

They were certain that my brother died a Catholick, and they aſked proofs of his Catholiciſm, although it be fully proved that my brother had not changed his religion, and had no intention of changing it. Above all, they were perſuaded that it is a maxim with all Proteſtants to ſtrangle their ſons when they have the leaſt ſuſpicion that they intend to turn Catholick; and this fanaticiſm was carried to ſuch a length, that the Church of *Geneva* thought itſelf obliged to ſend an atteſtation of its abhorrence of ſuch abominable and mad opinions, and of its aſtoniſhment that ſuch a ſuſpicion could ever enter into the heads of the Judges.

Before this monitory appeared in publick, it became the general talk of the people, that my brother *Marc Antony* was next day to have entered into the confraternity of White Penitents; immediately the

the *Capitouls* ordered my brother to be pompouſly interred in the middle of the church of St. *Stephen*; forty Prieſts and all the White Penitents aſſiſted in the funeral proceſſion.

Four days after, the White Penitents performed a ſolemn ſervice for him in their chapel; the church was hung with white; in the middle they had raiſed a tomb, on the top of which was to be ſeen a human ſkeleton, which a ſurgeon had lent them; the ſkeleton in one hand held a paper, on which were to be read theſe words, *Abjuration of hereſy*, and in the other hand a palm, the emblem of his martyrdom (*c*).

The next day the *Franciſcans* performed a ſervice of the ſame kind for him: we may judge if people's minds were not completely inflamed by ſuch proceedings. The White Penitents and *Franciſcans* pronounced, without knowing it, the death of my father.

The Parliament ſoon aſſumed the cognizance of this affair; they directly annulled the proceeding of the *Capitouls*, which, being erroneous in all the forms, could not ſubſiſt; but prejudice ſtill violently ſubſiſted. All the zealots wanted to give evidence; one had ſeen in the dark, through the key-hole of the door, men who were running; another had heard from the inſide of a houſe, at the other end of the ſtreet, the voice of *Calas*, who complained that he had been ſtrangled.

A Painter, named *Matei*, ſaid, that his wife had told him, that a woman, named *Mandrille*, had told her, that a certain woman unknown had ſaid to her, that ſhe had heard the cries of *Marc Antony Calas* at the further end of the city.

But as to all the perſons accuſed, my father, my mother, my brother *Peter*, young *La Vaiſſe*, and the maid, they agreed unanimouſly in all eſſential points,

(*c*) There are in *Toulouſe* four confraternities of Penitents, white, blue, gray, and black. They wear a long cloak with a hood, and a maſk of the ſame colour with two holes for the eyes.

points, all in irons, all interrogated ſeperately; they maintained the truth without ever varying, either at their re-examination or when they were confronted.

Their exceſſive diſtreſs might, indeed, make their Memory trip in ſome ſmall circumſtances, which they had obſerved with unſteady eyes, and eyes clouded with tears; but none of them heſitated a moment upon every thing that might evince their innocence. The cries of the multitude, the ignorant depoſition of the ſurgeon *La-Marque*, ear-witneſſes, who, having once uttered falſe accuſations, would not unſay them again, carried it againſt the moſt evident truth.

The Judges had on one ſide theſe frivolous accuſations before their eyes; and, on the other, the demonſtrated impoſſibility that my father, ſixty-eight years of age, could alone have hanged a young man of twenty-eight, much ſtronger than him, as has been already ſaid: They eaſily allowed that the crime was difficult to be committed; but they pretended that it was ſtill more difficult that my brother *Marc Antony Calas* ſhould make away with himſelf.

It was in vain for *La Vaiſſe* and the maid to prove the innocence of my Father, my mother, and my brother *Peter*. *La Vaiſſe* and the maid were themſelves accuſed. We were robbed of the aſſiſtance of theſe neceſſary witneſſes, in contradiction to the ſpirit of all laws.

It was plain, and every body agrees, that if *Marc Antony Calas* had been aſſaſſinated, he muſt have been ſo by the whole Family, and by *La Vaiſſe* and the maid; that they were either all innocent, or all guilty, ſince it had been proved that they never left each other a moment, either at ſupper or after ſupper.

I know not by what fatality the Judges believed my father criminal, and how they came to be more

ſwayed

ſwayed by forms than eſſentials. I have been aſſured that ſeveral of them maintained, for a long time, the innocence of my father, but that they at laſt yielded to the majority; that majority believed my whole Family and young *La Vaiſſe* equally guilty. It is certain, they condemned my unhappy father to the puniſhment of the wheel, from a notion they had that he would not be able to ſtand out againſt the tortures; and that, from the horror of the puniſhment, he would confeſs the pretended accomplices of his guilt.

I have ſaid it already, and I cannot too often repeat it, they were confounded to ſee him die appealing for his innocence to God, before whom he was going to appear. If I have not been deceived by publick report, the two *Dominicans*, named *Bourges* and *Caldagués*, whom they appointed to aſſiſt him in theſe cruel moments, have given teſtimony of his reſignation; they ſaw him forgive his Judges and pity them; they, in a word, wiſhed one day to die with ſuch affecting ſentiments of piety.

The Judges were obliged, quickly after, to ſet my mother, young *La Vaiſſe*, and the maid, at liberty; they baniſhed my brother *Peter*; and I have always ſaid with the publick, Why baniſh him if he be innocent, and why confine yourſelves to baniſhment if he be guilty?

I have always aſked, Why, after conducting him out of the city by one gate, did they ſuffer him, or oblige him, to go in again by another? Why was he ſhut up three months in a convent of *Dominicans?* Did they want to convert him inſtead of baniſhing him? Did they think, that, to prevent his being called back, he would conſent to change his religion? Did they puniſh and pardon arbitrarily? And was the ſhocking puniſhment of his father a means of perſuaſion?

My

My Mother, after this terrible cataſtrophe, has had the courage to abandon her dowry and her poſſeſſions; ſhe is gone to *Paris*, without any other aſſiſtance than her virtue, to implore the juſtice of the King. She preſumes to hope that his Majeſty's Council will cauſe the account of the trial at *Toulouſe* to be laid before them. Who knows even but the Judges, affected with the generous conduct of my mother, will not thereby more evidently perceive the innocence of him whom they have condemned, which begins in ſome Meaſure already to appear? Is it poſſible for them not to obſerve, that a Woman without protraction durſt not ſurely demand the reviſion of the Proceſs, if her huſband were criminal? Would ſhe have taken a Journey of two hundred Leagues, to go and ſeek death which ſhe really deſerved? Human nature is no more capable of this than the crime which my father is accuſed of: For I again affirm it with Horror, if my father has been guilty of this parricide, my mother and my brother *Peter Calas* are guilty likewiſe; *La Vaiſſe* and the maid were certainly accomplices in the crime. Would my mother have undertaken ſuch a journey, to expoſe them all to puniſhment and herſelf likewiſe?

I declare that I am of the ſame ſentiments with her, and that I ſubmit to death as well as ſhe, if my father has committed, againſt God, nature, the ſtate, and religion, the crime, which is laid to his charge.

I join myſelf therefore to that virtuous mother by this deed, whether legal or not, but public and ſigned by me. The advocates, who ſhall undertake her defence, may expoſe the nullity of the procedure. It belongs to them to ſhew that *La Vaiſſe* and the maid, altho' accuſed, were neceſſary witneſſes, who would give invincible evidence in favour of my father. They will expoſe the neceſſity to which the Judges were reduced to ſuppoſe, that an old man of

ſixty-eight years, whom I ſaw diſeaſed in his legs, could alone hang his own ſon, the moſt robuſt of men, and they may make appear the abſolute impoſſibility of ſuch an execution.

They will place in the ballance on one hand that phyſical impoſſibility, and on the other popular reports. They will weigh probabilities, they will diſcuſs the authority of ear witneſſes.

What will they not ſay upon all the pains which we have taken for theſe three months paſt, to prevail with them to communicate an account of the trial, and on the refuſal we have met with? Will not the Public and the Council be ſeized with indignation, when they are informed that an Attorney aſked two hundred lewis d'ors from us, from an indigent family, to get us the copy of the trial in an illegal manner!

I do not aſk pardon of the Judges for raiſing my voice againſt their decree, they will certainly be indulgent to filial piety. They would heartily deſpiſe me, if I behaved otherwiſe, and perhaps ſome of them will moiſten my memorial with tears.

This terrible accident intereſts all religions and all nations; it imports the ſtate to know on which ſide the moſt dangerous fanaticiſm lies. I ſhudder when I think on it, and more than one judicious reader will ſhudder as well as I.

Alone, in a deſert, ſtripped of counſel, protection, and comfort, I ſay to the Chancellor and to the whole Council of State: This requeſt which I lay at your feet is not agreeable to the uſual forms and practice of law; but render it agreeable by your authority and your juſtice. Do not have pity on my family, but make the truth appear. Let the Parliament of *Toulouſe* have the courage to publiſh the account of the trial. *Europe* demands it, and if it does not produce the account, it ſees how *Europe* decides.

Chatelaine,
22 *July*, 1762. (Signed) DONATUS CALAS.

The

The DECLARATION *of* PETER CALAS.

UPON arriving at the houſe of my brother *Donatus Calas* to weep with him, I found this memorial, which he had juſt finiſhed for the juſtification of our unhappy family. I join myſelf to my mother and him; I am willing to atteſt the truth of all he has now written; I confirm all that my mother has ſaid, and being become more courageous by her example, I with her requeſt to die if my father has been criminal.

I declare, and promiſe to declare upon oath, in a legal manner, what follows. Young *Gaubert La Vaiſſe*, aged nineteen years, a young man of the greateſt ſweetneſs of manners, virtuouſly brought up by his father, a celebrated advocate, was the friend of *Marc Antony* my brother, and this brother was a man of letters who had likewiſe ſtudied in order to become an advocate. *La Vaiſſe* ſupped with us on the 13th of *October* 1761, as has been ſaid. I fell aſleep a little after ſupper, about the time M. *La Vaiſſe* intended to take his leave; my mother waked me and deſired me to light our friend with the flambeau.

The reader may judge of my terrible ſurprize when I ſaw my brother hanging in his ſhirt on the two leaves of the door of the ſhop which leads to the magazine. I raiſed frightful cries, I called my father, he comes down diſtracted, he takes the body of his unhappy ſon in his arms, and thereby makes the bar and the rope that ſupported him to ſlip down; he takes the rope from the neck by ſlackening the knot; he trembled, he weeped, he cried, while he was employed in that melancholy ſervice. "Go (ſaid he to me) for God's ſake, to

the ſurgeon *Lamoire*, our neighbour, perhaps my poor ſon is not yet quite dead.

I fly to the ſurgeon, I find only M. *Gorſſe* his boy and bring him with me; my father was between my mother and one of our neighbours, named *Delpeche*, the ſon of a Catholick Merchant, who weeped along with them. My mother endeavoured in vain to make my brother ſwallow ſome ſpirits, and rubbed his temples. The ſurgeon, *Gorſſe*, feels his pulſe and his heart, and finds him dead and already cold. He takes off his neckcloth, which was of black taffety, he ſees the impreſſion of the cord, and pronounces that he has been ſtrangled.

The ſhirt was not ſo much as rumpled, his hair was done up in the uſual manner, and I ſaw his cloaths folded regularly upon the counter. I quit the houſe and go every where to aſk advice. My father, in the exceſs of his grief, ſays to me, "Don't go and ſpread the report that your brother has made away with himſelf, ſave at leaſt the honour of your miſerable family." I run quite beſide myſelf to M. *Caſeing*, a friend of the family, a Merchant living near the Exchange; I bring him to our houſe; he adviſes us to inform the officers of juſtice without the leaſt delay. I fly to M. *Clauſade*, a Lawyer, and *La Vaiſſe* runs to the Secretary of the Capitouls, and to the Aſſeſſor, M. *Monier*. I make haſte to return to be with my father, while *La Vaiſſe* and *Clauſade* raiſed the Aſſeſſor, who was already gone to bed, and went to inform the Capitoul himſelf.

The Capitoul was already ſet out upon the publick report to come to us; he enters with forty ſoldiers; I was below to receive him; he orders me to be guarded.

At that very moment the Aſſeſſor arrived with M. *Clauſade* and *La Vaiſſe*; the guards would not let *La Vaiſſe* enter, and puſhed him back: it was not

not without much ado, by inſiſting and ſaying he had ſupped with the family, that he prevailed with the Capitoul to ſuffer him to come in.

Whoever has the leaſt knowledge of the human heart, will, from all theſe proceedings, plainly perceive how innocent we were. How could our innocence be ſuſpected? Is there in the annals of the world, and of crimes, any example of ſuch a parricide committed without any deſign, without any intereſt, without any cauſe?

The Capitoul had ſent for M. *La Tour*, Phyſician, and M. *La Marque* and *Perronet*, Surgeons; they examined the corpſe in my preſence, looked for marks of violence upon the body and found none. They did not examine the cord. They made a ſecret report to the Capitoul by word of mouth only, after which we were all conducted to the Town-houſe, namely, my father, my mother, M. *La Vaiſſe*, M. *Caſeing* our friend, the maid, and I; they took up the corpſe and the cloaths, which were alſo carried to the Town-houſe.

I wanted to leave a flambeau lighted in the houſe in the paſſage below-ſtairs, that we might have a light when we returned. Such was my ſecurity and that of my father, that we thought we were only conducted to the Town-houſe to give evidence to the truth, and flattered ourſelves that we ſhould return and ſleep at home. But the Capitoul ſmiling at my ſimplicity, cauſed the flambeau to be put out, ſaying, That we ſhould not return ſo ſoon. My father and I were put into a dark dungeon, my mother into one with a light, and likewiſe *La Vaiſſe*, *Caſeing*, and the maid. The verbal proceſs of the Capitoul, and likewiſe of the Phyſicians and Surgeons, was taken next day at the Town-houſe.

Caſeing, who had not ſupped with us, was ſoon ſet at liberty, all the reſt of us were condemned to the

the torture and put in irons on the 18th of *November*. We appealed to the parliament, who annulled the ſentence of the Capitoul irregular in ſeveral points, and continued the proſecution.

I was examined more than fifty times; I was aſked if my Brother *Marc Antony* intended to become a Catholick? I anſwered, that I was certain of the contrary; but that, as he was a man of letters and a lover of muſick, he went ſometimes to hear ſuch preachers as he thought eloquent, and the muſick when it was good. And what was it to me, my God! whether my brother *Marc Antony* was a Catholick or a Proteſtant? Have I ever the leſs lived in a good Underſtanding with my brother *Lewis* becauſe he went to Maſs? Have not I dined with him? Have not I always been very intimate with the Catholicks in *Toulouſe?* Did ever any one of them complain of my Father and me? Have not I learned in the celebrated mandate of the Biſhop of *Soiſſons*, that we ought to treat even the *Turks* as our Brethren? Why ſhould I have treated my brother like a wild beaſt? What idea! what madneſs!

I was often confronted with my father, who, upon ſeeing me, burſt out into ſighs and melted into tears. The exceſs of his misfortunes ſometimes diſturbed his memory. "Aſſiſt me," ſaid he to me; and I put him right in ſome points that were quite indifferent; for inſtance, he happened to ſay that we all left the table together; "Ah, my father, cried I, do you forget that my brother went out ſome time before us?" You are right, replied he, pardon me, I am not myſelf."

I was confronted with more than fifty witneſſes. Pity will make men teſtify an abhorrence, when once they ſee who theſe witneſſes were, and what was their evidence. There was one named *Popis*, a lace-maker, who, hearing from a neighbouring houſe the

the lamentations I made at the ſight of my dead brother, had taken it into his head that he had heard the cries of my brother himſelf: there was a ſimpleton of a maid, who, when I cried, "Oh, my God!" thought I cried "Thieves! thieves!" There were hearſays from extravagant hearſays. Almoſt the whole they went upon was nothing but miſapprehenſions of this kind.

The maid *Peyronet* depoſed, that ſhe ſaw me in the ſtreet on the 13th of *October*, at ten at night, *running with a handkerchief wiping my tears, and ſaying my brother was dead by a wound of a ſword.* No, I did not ſay ſo; and if I had ſaid ſo, I might well have done it, to ſave the honour of my dear brother. Should the Judges have given more attention to the falſe part of this depoſition, than to the part full of truth which mentioned my diſtreſs and my tears? And did not theſe tears explain themſelves in an invincible manner, in oppoſition to all the frivolous accuſations which have overwhelmed the pureſt innocence? It might ſome day or other happen that my father, diſſatisfied with my eldeſt brother, who ſpent his time and his money at billiards, might have ſaid to him, "If you do not change your conduct, I will puniſh you, or I will thruſt you out of doors, or you will ruin yourſelf, or you will periſh." But ought an evidence, an impetuous fanatic, to give an unnatural interpretation to thoſe paternal words, and wickedly ſubſtitute in room of the words, *If you do not change your conduct*, theſe cruel words, *If you change our religion?* Ought the Judges, when there is a ſingle witneſs on one ſide, and an accuſed father on the other, decide in favour of calumny againſt nature?

There was not any reſponſible witneſs againſt us, and this will be eaſily perceived, upon reading the verbal proceſs, if we could find any means of getting this proceſs out of the hands of the Clerk, who had been forbid to communicate it. The

The reſt of our ſtory is exactly agreeable to what my mother and my brother *Donatus Calas* have written. Never was innocence more inconteſtable. Of the two *Dominicans*, who aſſiſted at the death of my father, the one who came from *Caſtres* ſaid publickly, *he has died righteous.* Upon what foundation then, it may be aſked, was your father condemned? I am going to tell it, and the reader will be aſtoniſhed.

The Capitoul, the Aſſeſſor Mr. *Monier*, the King's Attorney, the King's Advocate, ſome days after our confinement, went with a man of ſkill, or juror, to the houſe where my brother *Marc Anthony* had died. Who was this Juror? Could one believe it? It was the hangman! They aſk him if a Man could hang himſelf over the two leaves of the door of the warehouſe, where I had found my brother? This wretch, who underſtood only what he performed himſelf, anſwered, that the thing was impracticable. Here then the practicability of it was the point in diſpute. Alas! A man of the ſmalleſt comprehenſion might have perceived that the thing was but too eaſy, and *La Vaiſſe*, who might be examined as well as I, had ſeen the evident proof of it with his own eyes.

The Surgeon *La Marque*, called to examine the corpſe, might have a ſpite againſt me, becauſe, one day in one of his judicial reports, having taken the right eye for the left eye, I had corrected his miſtake. Thus my father was ſacrificed to ignorance as well as prejudices. It was very requiſite that the Judges ſhould have been unanimous, but the majority carried it.

After this terrible execution the Judges cauſed me to be brought before them; one of them ſpoke to me theſe words: *We have condemned your father, if you do not confeſs, take care of yourſelf.* Good God! what could I confeſs, but that miſtaken men had ſhed innocent blood?

Some

Some days after Father *Bourges*, one of the two *Dominicans* whom they had given to my father to be the witneſſes of his puniſhment and his ſentiments, came to viſit me in my dungeon, and threatned me with the ſame kind of death if I did not abjure. Perhaps, in former times, during the exaggerated perſecutions which we are told of, a *Roman* Proconſul, inveſted with arbitrary power, might have explained himſelf in ſuch terms. I confeſs I had the weakneſs not to withſtand the dread of ſuch a terrible puniſhment.

At length they came and declared to me my decree of baniſhment. It had lain four days on the deſk without being ſigned. What ſtrange irregularity! What ſtrange irreſolution! The hand of the Judges ought to have trembled to ſign any decree whatever, after ſigning the death of my father. The Clerk of the gaol read to me only two lines of mine.

As to the decree which delivered over my virtuous father to the moſt terrible puniſhment, I never ſaw it; it was never known; it is an impenetrable myſtery. Thoſe kind of ſentences are deſigned for the inſpection of the publick; they were formerly ſent to the King, and not put in execution without his approbation. This is ſtill the practice in a great part of *Europe*. But as to the ſentence which condemns my father, they have taken, if I may expreſs myſelf ſo, as much pains to keep it from the knowledge of mankind, as criminals uſually take to conceal their crimes.

My judgment impoſed upon me as it has impoſed upon every one; for if my unhappy brother could have been aſſaſſinated, he could only have been ſo by me and *La Vaiſſe*, and not by a weak old man. It was I that would have deſerved the moſt cruel puniſhment. One ſees plainly that there was no medium between parricide and innocence.

I was directly conducted to a gate of the city; an Abbè accompanied me thither, and the moment after obliged me to enter into a convent of the *Dominicans*. Father *Bourges* waited for me at the gate; he told me there would be no regard paid to my baniſhment if I would profeſs the *Roman* Catholick faith; he obliged me to ſtay four months in that monaſtery, where I was guarded within ſight.

I am at length eſcaped from that priſon, ready to re-enter into any other that the King ſhall think proper to order, and willing to ſhed my blood for the honour of my father and mother.

Blind prejudice has ruined us, enlightened reaſon now pities us. The publick, the judge of honour and infamy, clears the memory of my father. The council will confirm the decree of the publick, if they will but deign to peruſe the account of the trial. This is not one of thoſe trials that are left careleſsly among the duſt of an office, becauſe they are not worth the publiſhing; I am convinced that it imports all mankind in general to know perfectly the ſmalleſt circumſtances of what fanaticiſm, that deteſtable plague of humanity, has been able to effect.

Chatelaine, July 23, 1762.

Signed, PETER CALAS.

THE

THE

INNOCENCE and PUNISHMENT

OF

JOHN CALAS,

Merchant at *Toulouſe.*

Ye fine Genius's, ye Philoſophers, ye Men of Eloquence, if you do not ſtrenuouſly oppoſe errors, if you do not ſpeak in behalf of the miſerable; ye powerful and ye rich Men, if ye do not ſuccour the oppreſſed and indigent; ye Princes and Magiſtrates, if you do not puniſh acts of injuſtice, if you do not protect innocence, ye are worſe than the moſt worthleſs of the human race, and better it were that ye had never exiſted!

Op. C. p. 71.

WHAT evils may not prejudice occaſion!

I was at *London* when the adventure of young *Elizabeth Canning* made ſo much noiſe. *Betty* had diſappeared for a month from the houſe of her parents; ſhe came back lean, waſted, with only a few rags of cloaths upon her. Ah, my God! In what a condition you return! Where have you been? Where do you come from? What has been the matter with you?—Alas! Aunt, I was coming through *Moorfields* in my way home, when two ſtrong villains threw me down, robbed me, and carried me along to a houſe ten miles from *London.*

The aunt and the neighbours cried at this ſtory. Ah! my dear girl, was not it to that ſcandalous wretch Mrs. *Welſh*'s, that the robbers carried you; for her houſe is juſt ten miles from this? Yes, aunt, it was to Mrs. *Welſh*'s. To that great houſe on the

right? *Juſt ſo, aunt.* The Neighbours then gave a deſcription of Mrs. *Welſh*, and young *Canning* agreed that that Woman was exactly ſuch a one as they deſcribed her. One of them declared to Miſs *Canning*, that People ſat up all night gaming at that Woman's houſe, and that it is a cut-throat place where all young People go to loſe their Money. Ah, a very cut-throat place, replies *Elizabeth Canning*. Much worſe things are done there, ſays another Neighbour: thoſe two Robbers, who are couſins of Mrs. *Welſh*, go upon the high roads to ſeize all the young girls they can find, and make them faſt upon bread and water, till they are forced to ſubmit to the Will of the Gameſters who lodge in the houſe. Alas! was not you put upon bread and water, dear niece? *Yes, aunt.* They aſk her if thoſe robbers did not raviſh her, and if ſhe had not been forced to turn proſtitute. She anſwers, that ſhe had defended herſelf, that ſhe had been loaded with Blows, and that her Life had been in danger. Upon this the aunt and the neighbours began again to cry and lament.

The girl, *Canning*, was directly carried to one Mr. *Adamſon*, who for a long time had been protector of the family; he was a good man, who had great intereſt in his Pariſh. He mounts on horſeback with one of his friends no leſs zealous than himſelf. They go and examine the houſe of Mrs. *Welſh*; upon ſeeing it, they make not the leaſt doubt but the Girl had been confined there; they even conclude, upon obſerving a ſmall barn with ſome hay in it, that in that very barn *Betty* had been impriſoned. This heightened the compaſſion of the good *Adamſon*. At his return he gets *Betty* to acknowledge, that it was in that very place ſhe had been ſhut up. He raiſes the indignation of the whole neighbourhood, and a ſubſcription is formed for the young girl, who had been ſo cruelly treated.

In

In proportion as young *Canning* recovered her plumpneſs and beauty, almoſt every body warmly eſpouſed her cauſe. Mr. *Adamſon* cauſes a complaint to be laid before the Sheriff in the name of injured innocence. Mrs. *Welſh* and her whole family, who were living quietly in the country, are all ſeized and thruſt into priſon.

The Sheriff, the better to inform himſelf of the Truth of the fact, begins by ſending for the young Maid of Mrs. *Welſh*, in a friendly Manner, to his houſe, and prevails upon her, by mild words, to tell all that ſhe knows. The maid, who never in her life had ſeen Miſs *Betty Canning*, or heard of her name, at firſt anſwers ingeniouſly, that ſhe knew nothing of what was aſked of her. But when the Sheriff had told her that ſhe muſt anſwer before a court of Juſtice, and that ſhe would infallibly be hanged if ſhe did not confeſs, ſhe then ſaid every thing they deſired. To conclude, juries are aſſembled, and nine perſons are ſentenced to be hanged.

Happily in *England* no criminal trial is ſecret, becauſe the puniſhment of crimes is deſigned to be a public inſtruction to men, and not a private vengeance. All interrogatories are made in open court, and all trials of any conſequence are printed in Journals.

Beſides, they ſtill keep up in *England* an ancient law of *France*, which does not allow any criminal to be put to death till after the trial has been preſented to the King, and the ſentence has been ſigned by him. This law, ſo wiſe, ſo humane, and ſo neceſſary, is at length become obſolete in *France*, like many others; but it is obſerved over almoſt all *Europe*: it is ſo in *Ruſſia*, it is ſo in *China*, that ancient native ſeat of morality, where divine laws were publiſhed before *Europe* had even cuſtoms.

The

The time for the execution of the nine condemned perſons drew near, when the pamphlet called the *Seſſions Paper* fell into the hands of a Philoſopher named Mr. *Ramſay*. He read the trial, and found it abſurd from beginning to end. His indignation was rouſed upon reading it. He ſet about writing a ſheet, in which he lays it down as a principle, that the firſt duty incumbent on juries is to have common ſenſe. He ſhews that Mrs. *Welſh*, her two couſins, and all the reſt of that family, were not made like other people, if they forced young girls to faſt on bread and water, with a view to make proſtitutes of them; that, on the contrary, they ought to feed them well, and deck them out, to render them agreeable; that Merchants do not ſully nor tear the wares that they want to ſell; he makes it appear, that Miſs *Canning* was never in that houſe, that ſhe had merely repeated what the ſtupidity of her aunt had ſuggeſted to her, that the good ſoul *Adamſon* had, by the exceſs of his zeal, given riſe to that extravagant, criminal trial; and laſtly, that it was going to coſt nine Citizens their lives, becauſe Miſs *Canning* was handſome, and had told a lie. The maid, who had confeſſed to the Sheriff in a friendly manner a great many falſhoods, had not the courage to unſay them before the Court. Whoever has once given a falſe evidence uſually maintains it, and lies for fear of paſſing for a liar.

It is to no purpoſe, ſays Mr. *Ramſay*, that the law declares that two witneſſes are ſufficient to hang an accuſed perſon. If the Chancellor and the Archbiſhop of *Canterbury* ſhould depoſe, that they ſaw me aſſaſſinate my father and mother, and eat them up entirely to my breakfaſt in half a quarter of an hour, it would be more proper to ſend both the Chancellor and Archbiſhop to *Bedlam*, than to burn me alive upon their fine teſtimony. Place on one hand a thing

a thing in itſelf abſurd and impoſſible, and on the other a thouſand witneſſes, and a thouſand arguers, the impoſſibility ought to outweigh all the evidence and all the arguments.

This ſhort paper opened the eyes of the Sheriff and the Jury; they were obliged to review the trial; it was plainly proved that Miſs *Betty* was a young baggage, who had gone to lye-in while ſhe pretended to have been confined at Mrs. *Welſh*'s houſe; and the whole city of *London*, who had declared for her, were as much aſhamed of themſelves as they had formerly been, when a Mountebank propoſed to leap into a quart bottle, and when two thouſand people being aſſembled to ſee the ſight, he carried off their money and left them the bottle.

I may poſſibly be miſtaken in ſome of the particulars of this ſtory; but the chief circumſtances are well known to be true by all England.

This ridiculous adventure would have ended very tragically, if it had not been for a Philoſopher who happened to read the publick paper. I wiſh to God that in a trial not leſs abſurd, and a thouſand times more horrible, there had been a Philoſopher at *Toulouſe* in the midſt of ſo many White Penitents! We ſhould not then at this day have been lamenting for the blood of the innocent, which prejudice has cauſed to be ſhed.

There was found, however, at *Toulouſe*, a wiſe man, who raiſed his voice againſt the clamour of the licentious mob, and againſt the prejudices of the Magiſtrates who were under prepoſſeſſion. That wiſe man, whom we cannot too much praiſe, was Mr. *de la Salle*, Counſellor of the Parliament, who conſequently was to be one of the Judges.

He at firſt declared his ſentiments upon the irregularity of the monitory; he highly condemned the precipitation with which they had performed three

ſolemn

ſolemn ſervices to a man, whom, in all probability, they ought to have dragged through the dirt. He declared that they ought not to have buried as a Catholick, and canonized as a martyr, a dead man, who, in all appearance, had made away with himſelf, and who certainly was not a Catholick. Every body knew that Mr. *Chalier*, Advocate of Parliament, had depoſed that *Marc Antony Calas* (who they ſuppoſed was to abjure next day) on the contrary intended to go to *Geneva*, to offer himſelf to be admitted as a Paſtor of the Proteſtant churches.

Mr. *Caſeing* had in his hands a letter of the ſame *Marc Antony*, in which he gives the title of *Deſerter* to his brother *Lewis*, who had turned Catholick. *Our deſerter*, ſaid he in that letter, *plagues us*. The Curate of *St. Stephen's* had declared, in an authentick manner, that *Marc Antony Calas* had come to him to aſk for a certificate of Catholiciſm, and that he refuſed to be guilty of prevarication in giving a certificate of Catholiciſm to a Proteſtant.

Mr. *de la Salle*, the Counſellor, weighed all theſe reaſons; he, moreover, added, that agreeable to the regulations of the ordonnances, and thoſe of the *Roman* law followed in *Languedoc*, *no probable evidence whatever, nor no preſumption, although legal, could make a father be looked upon as guilty of the death of his ſon, and weigh againſt the natural and ſacred preſumption which ſecures fathers againſt all ſuſpicion of the murder of their children.* Laſtly, this worthy Magiſtrate found, that as young *La Vaiſſe*, who was no ways concerned in this terrible adventure, and the Catholic maid, could not be accuſed of the pretended murder of *Marc Antony Calas*, they ought to be admitted at witneſſes; and that the perſons accuſed ought not to be robbed of their neceſſary evidence.

Mr.

Mr. *de la Salle*, having grounded his opinion upon ſo many invincible reaſons, and being moved with juſt compaſſion, ſpoke of the affair with that zeal which is the effect of goodneſs of heart and a full perſuaſion of mind. One of the Judges ſaid to him, *Ah! Sir, you are quite a* Calas.—*Ah! Sir, you are quite the mob*, replied Mr. *de la Salle*.

It is greatly to be lamented, that this noble warmth which he diſplayed ſhould only have ſerved to aggravate the misfortune of the family, whoſe defence his juſtice had prompted him to undertake; for having declared himſelf with ſo much ſpirit and in ſuch a publick manner, he was on that account ſo ſcrupulous as to decline concerning himſelf with the trial. Thus the *Calas*'s loſt an intelligent Judge, who would, probably, have enlightened the others.

On the other hand, Mr. *la Borde*, who had eſpouſed the popular prejudices, and expreſſed ſuch a zeal, that even he himſelf had thought it too vehement; Mr. *la Borde*, who had likewiſe declined judging in the affair, and who had retired to his country houſe near *Alby*, came back, however, to condemn the head of a family to the wheel.

There was not, as has been already ſaid, and as will be for ever maintained, any proof againſt this unfortunate family. The whole accuſation was built upon circumſtances; and what circumſtances! Human reaſon bluſhes at them.

Mr. *David*, Capitoul of *Toulouſe*, had conſulted the hangman upon the manner in which *Marc Antony Calas* might have been hanged; and it was the opinion of the hangman which laid the foundation for the ſentence, while the opinions of all the Advocates were neglected.

When they came to give their opinions, the Judge who reported the caſe deliberated only upon *Calas* the father, and voted that that innocent father

ſhould be condemned to be firſt racked with the ordinary and extraordinary torture, in order to procure a diſcovery of his accomplices, to be then broke alive, and to expire on the wheel, after remaining thereon two hours, and afterwards to be burnt.

This opinion was followed by ſix Judges; three others voted for the torture alone; two others were of opinion that they ſhould endeavour to aſcertain on the ſpot whether it was poſſible that *Marc Antony Calas* could have hanged himſelf; and one alone voted to acquit *John Calas*.

At length, after very long debates, the majority were for the ordinary and extraordinary torture, and the wheel.

This unhappy head of a family, who had never had a quarrel with any one, who never had beat one of his children, this feeble old man of ſixty-eight years of age, was accordingly condemned to the moſt terrible puniſhment, for having with his weak hands ſtrangled, and hanged, in hatred of the Catholick Religion, a ſtout and vigorous ſon, who had no more inclination for that Catholick Religion than the father himſelf.

Being interrogated about his accomplices, in the midſt of the horrors of the torture, he anſwered theſe very words; Alas! where there is no crime, can there be any accomplices?"

When he was conducted from the room where he was tortured to the place of execution, the ſame tranquility of ſoul accompanied him. All his fellow-citizens, who ſaw him paſs by upon the fatal cart, were melted into compaſſion; even the mob, who, ſome time before that had recovered from their fanaticiſm, ſincerely wept for his misfortunes. The Commiſſary, who had the direction of the execution, took the laſt interrogatory from him; but had from him the ſame anſwers as before. Father *Bourges* a *Dominican* and Profeſſor of Divinity, who with Father *Caldagues*, a Religious of the ſame Order, had been

been commiſſioned to aſſiſt him in his laſt moments, and above all, to prevail with him to conceal nothing of the truth, found him wholly diſpoſed to offer to God the ſacrifice of his life for the expiation of his ſins; but however reſigned he ſhewed himſelf to the decrees of Providence, he ſo far on the other hand continued firm in defending his innocence, and that of the other perſons accuſed.

One ſingle ſhriek, and that not very violent, eſcaped from him upon the firſt ſtroke he received; the reſt did not draw the leaſt complaint from him. Being placed at length upon the wheel, there to wait the moment that was at once to put an end to his puniſhment and his life, the whole diſcourſe which he held breathed nothing but Chriſtian ſentiments. He expreſſed no reſentment againſt his Judges; ſuch was his charity, that he declared he did not impute his death to them, and that they muſt have been deceived by falſe witneſſes. At length, when he ſaw the moment arrive when the executioner was preparing to deliver him from his pain, his laſt words to Father *Bourges* were theſe: "I die innocent; *Jeſus Chriſt*, who was innocence "itſelf, choſe to die by a puniſhment ſtill more "cruel. I have no regret to part with a life, the "end of which, I hope, will ſoon conduct me into "a happy eternity. I pity my wife and my ſon; "but what adds to my affliction, is that poor ſtranger, that ſon of Mr. *La Vaiſſe*, to whom I thought "I was doing a piece of civility, in intreating him "to ſup with me."

He was ſpeaking thus, when the Capitoul, the firſt author of this cataſtrophe, who had wanted to be a witneſs of his puniſhment and death, altho' he had not been named Commiſſary, drew near to him, and bawled out, "Wretch! there are the faggots that are to reduce your body to aſhes; ſpeak the truth." Mr. *Calas* made him no other anſwer, than turning aſide his head a little, and that moment the executioner did his office, and put an end to his life.

Altho' *John Calas* died a Proteſtant, nevertheleſs Father *Bourges*, and Father *Caldagues* his colleague, beſtowed the greateſt eulogiums on his memory. Thus, ſaid they to all who would hear them, thus, in former times, died our martyrs; and even upon a report that prevailed that Mr. *Calas* had contradicted his former aſſertions, and had confeſſed his pretended crime, Father *Bourges* thought it incumbent upon him to go himſelf and give an account to the Judges of the laſt ſentiments of *John Calas*, and to aſſure them that he had to the laſt proteſted his innocence, and that of the other perſons accuſed.

After this ſtrange execution, they began with judging *Peter Calas* the ſon; he was looked upon as the moſt guilty of thoſe who were ſtill alive, and that upon the following foundation.

A young man of the loweſt of the people, named *Cazeres*, had been ſent for from *Montpelier* to give evidence during the continuance of the information. He had depoſed, that when he lived as a boy with a Taylor, named *Bou*, who occupied a ſhop dependent upon Mr. *Calas*'s houſe, Mr. *Peter Calas* having one day entered that ſhop, and Mrs. *Bou* hearing the bell ring for the benediction, ordered her young men to go out and receive it; upon which *Peter Calas* ſaid to her: "You think of "nothing but your benedictions; a man may be ſa-"ved in both religions; two of my brothers are of "the ſame way of thinking with me; if I knew "that they intended to change, I could be ready "to ſtab them, and if I had been in my father's "place when *Lewis Calas*, my other brother, turn-"ed Catholick, I ſhould not have ſpared him."

Why do they make ſo much ado about bringing this witneſs from *Montpelier*, to give evidence about a fact, which, as the ſaid witneſs pretended, had happened in the preſence of Mrs. *Bou*, and two of her young men, all of whom were in *Toulouſe*? Why would not they ſend for, and examine Mrs. *Bou*, and her two young men, eſpecially after it had

been

been affirmed in the memorials of the *Calas's*, that Mrs. *Bou* and her two young men maintained poſitively, that the whole of what *Cazeres* had preſumed to advance was nothing but a lie, dictated by their enemies, and by the animoſity of the parties? What! the abovenamed *Cazeres* heard publickly what was ſaid to his maſters, and his maſters and companions did not hear it; and the Judges hear him, and do not hear his companions and his maſters! Is it not plain that the depoſition of this wretch is a contradiction in the very terms? *A man may be ſaved in both religions*; that is, God has compaſſion on human ignorance and frailty; but as to me, I will have no compaſſion on my brother! God accepts the ſincere prayers of all who addreſs themſelves to him; but I will kill every man who addreſſes himſelf to God in a manner not to my liking! Could any diſcourſe be imagined conſiſting of ſuch egregious and impious folly?

Another evidence, but of much leſs importance, who depoſed, that *Peter Calas* ſpoke ill of the *Roman* religion, began with ſaying, "I have an in-" vincible averſion to all Proteſtants." This perſon's evidence certainly was very proper to be admitted.

This was all they could rake together againſt *Peter Calas*; the Judge who reported the caſe thought, that even from theſe circumſtances there was ſufficient proof to found a ſentence of perpetual condemnation to the gallies. He ſtood alone in that opinion. Several voted to acquit *Peter*, and others to condemn him to perpetual baniſhment; the reporting Judge confined himſelf to this laſt opinion, which accordingly prevailed.

They proceeded next to the widow *Calas*, to that virtuous mother: There was not againſt her any proof, preſumption, or circumſtance whatever; the reporting Judge, nevertheleſs, voted againſt her

for

for baniſhment; all the other Judges voted to acquit her, and to diſmiſs the trial.

Next came the turn of Young *La Vaiſſe*; the ſuſpicions againſt him were abſurd. How could that young man, of nineteen years of age, being then at *Bordeaux*, be choſen at *Toulouſe* hangman of the Proteſtants? Could the mother have ſaid to him, "You come in good time, we have an eldeſt Son to be executed; you are his friend, you ſhall ſup with him in order to hang him; one of our Friends ſhould have been at ſupper, he would have aſſiſted us, but we will be very well able to do without him"

This height of madneſs could maintain itſelf no longer; the reporting Judge, however, was of opinion, that *La Vaiſſe* ought to be condemned to baniſhment. All the other Judges, Mr. *Darbou* alone excepted, ſtrenuouſly oppoſed this opinion.

Laſt of all, when they came to give their opinions, about the maid of *Calas*, the reporting Judge voted that ſhe ſhould be ſet at liberty, on account of her being an old Catholic; and this opinion was unanimouſly agreed to.

Is it poſſible that there can be any Judges in *Toulouſe* at this time who do not weep for the innocence of a family thus treated? They weep, doubtleſs, and bluſh likewiſe; and as a proof that they repent their having given ſuch a cruel ſentence, they have for theſe four months refuſed to communicate the trial, or even the ſentence, to every perſon who aſked it.

There is not one of them but now addreſſes his heart in the following manner: "I ſee with horror "all thoſe prejudices and all thoſe ſuppoſitions "which ſhock both nature and common ſenſe. I "ſee that by one ſentence I have cauſed an old man, "that could not poſſibly be guilty, to be put to "death upon the wheel; and by another ſentence "I have acquitted all thoſe who muſt neceſſarily,

if

" if there had been a poſſibility of a crime, have " been criminal as well as he. I am ſenſible that it " appears very plain, that one of theſe ſentences " contradicts the other. I confeſs, that if I put the " father to death upon the wheel, I was wrong in " only baniſhing the ſon; and I confeſs, that, in " truth, I muſt reproach myſelf for the baniſh- " ment of the ſon, for the terrible death of the fa- " ther, and for thoſe Irons with which, for ſix " months, I loaded a worthy mother and young " *La Vaiſſe.*

" If we have refuſed to ſhew the trial to thoſe " who aſked it of us, it is becauſe it has been de- " faced by our tears. Let us add to thoſe tears " the reparation which is due to a reputable fami- " ly, whom we have plunged into miſery and indi- " gence; I will not ſay ignominy, for ignominy is " not the lot of the innocent: Let us reſtore to " the mother the poſſeſſions which this deteſtable " al has robbed her of. Nay, more, let us aſk " her pardon; but which of us will have the cou- " rage to appear before her?

" Let us at leaſt attend to public remonſtrances, " the lamentable fruit of a publick injuſtice. We " make remonſtrances to the King, when he aſks " of his people ſuccours that are indiſpenſibly ne- " ceſſary for the defence of that very people from " the ſword of their enemies. Let us not be ſur- " prized if the whole earth ſhould make remon- " ſtrances to us, ſince we have put to death the " moſt innocent of men. Do we not perceive that " thoſe remonſtrances are written with his blood?"

A petition is preſented to the King. It concerns the publick that unjuſt Judges ſhould themſelves be judged.

The E N D.

Juſt Publiſhed,

By JOHN MITCHELL, at the Golden Sugar-loaf, in *Sycamore-Alley*, near *Dame-ſtreet*.

The Hiſtory of the FAIR MARIA, a Novel founded on Truth, by the Hon. Mrs. CAROLINE STANHOPE. Price in blue paper 1s. 1d.

The Dublin Society's weekly Obſervations on Agriculture, &c. with Cuts, neatly bound in Calf 2s. 8d. halfp.

The Muſical Lady (a New Farce) 3d.

The Certainty of Proteſtants, a ſafer foundation than the pretended infallibility of the Papiſts, price 4d.

The proceedings to the Royal Coronation of King George III. and Queen Charlotte, on the 22d of Sept. 1761. With a Compleat liſt of the Peers, &c. that attended, price 4d.

TOM GAY's Comical Jeſter, or Wit's Merry Medley. Containing Polite and Humorous Entertainment, and will prove an everlaſting cordial to low Spirits, price 6d. halfp.

32274